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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/802,518	03/16/2004	Craig M. Janik	5532P023	3980

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EXAMINER	
DEAN, RAYMOND S	

ART UNIT	PAPER NUMBER
2684	

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/802,518	JANIK ET AL.	
	Examiner	Art Unit	
	Raymond S. Dean	2684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 - 30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 - 30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 – 2, 4 – 6, 8 – 12, 15 – 16, 18 – 19, 21 – 24, and 29 are rejected under 35 U.S.C. 102(b) as being anticipated by Walsh et al. (US 2003/0050058).

Regarding Claim 1, Walsh teaches a system comprising: a server computer (Figure 1, Section 0049 lines 6 - 11); a wireless transmitter to transmit a signal (Figure 1, Section 0043 lines 10 - 11); and a portable device comprising: a wireless receiver to receive the signal (Figure 1, Section 0043 lines 1 - 9, the Bluetooth enabled devices comprise transceivers thus there will be a receiver to receive signals from the DCDS server); and a wireless transceiver to transition from a first state to a second state to perform content synchronization with the server computer in response to the signal (Section 0042 lines 1 - 5, during standby mode the Bluetooth enabled devices will listen for inquiry messages, when the access code in said inquiry messages matches the access code derived from the Bluetooth enabled devices identity said devices will transition to an activation mode and synchronize with the master (DCDS server) to form a piconet), wherein the wireless transceiver consumes less power in the first state than

in the second state (Section 0042 lines 1 - 5, the Bluetooth enabled devices in a Bluetooth system will transition from the standby mode to the activation mode, the standby mode consumes less power than the activation mode).

Regarding Claim 2, Walsh teaches all of the claimed limitations recited in Claim 1. Walsh further teaches wherein the wireless transmitter is physically coupled to the server computer (Figure 1, Section 0043 lines 10 - 11).

Regarding Claim 4, Walsh teaches all of the claimed limitations recited in Claim 1. Walsh further teaches wherein the wireless transmitter transmits the signal periodically until the portable device responds to the signal (Section 0042 lines 1 - 5, the master (DCDS server) periodically transmits inquiry messages which comprise access codes, when the access code matches the Bluetooth enabled devices access code said Bluetooth enabled devices will respond with an acknowledgement signal).

Regarding Claim 5, Walsh teaches all of the claimed limitations recited in Claim 1. Walsh further teaches wherein the wireless transmitter transmits the signal in response to a user request (Sections 0082 lines 1 - 7, 0083).

Regarding Claim 6, Walsh teaches all of the claimed limitations recited in Claim 1. Walsh further teaches wherein the wireless receiver includes a radio frequency (RF) receiver (Figure 1, Section 0043 lines 1 - 9, the Bluetooth enabled devices comprise RF transceivers thus there will be a RF receiver to receive signals from the DCDS server) and the wireless transmitter includes a RF transmitter (Figure 1, Section 0043 lines 10 - 11, the Bluetooth transceivers comprise RF transmitters).

Regarding Claim 8, Walsh teaches all of the claimed limitations recited in Claim

1. Walsh further teaches wherein the wireless receiver includes a mobile cellular phone network receiver (Section 0043 lines 1 - 9).

Regarding Claim 9, Walsh teaches all of the claimed limitations recited in Claim 1. Walsh further teaches wherein the wireless transceiver includes a wireless local area (WLAN) transceiver (Section 0042 lines 6 - 7).

Regarding Claim 10, Walsh teaches all of the claimed limitations recited in Claim 1. Walsh further teaches wherein the server computer includes a personal computer (Figure 1).

Regarding Claim 11, Walsh teaches a method comprising: causing a first microprocessor in a portable device to transition from a first state to a second state in response to a wireless signal (Sections 0042 lines 1 - 5, 0043 lines 1 - 9, the Bluetooth enabled devices comprise microprocessors, during standby mode the Bluetooth enabled devices will listen for inquiry messages, when the access code in said inquiry messages matches the access code derived from the Bluetooth enabled devices identity said devices will transition to an activation mode and synchronize with the master (DCDS server) to form a piconet, since the microprocessor controls said Bluetooth enabled devices said microprocessor will transition from the standby mode to the activation mode) wherein the first microprocessor consumes more power in the second state than in the first state (Section 0042 lines 1 - 5, the Bluetooth enabled devices in a Bluetooth system will transition from the standby mode to the activation mode, the standby mode consumes less power than the activation mode, since the microprocessor controls the Bluetooth enabled device said microprocessor consumes

less power in standby mode than in activation mode); the first microprocessor activating a wireless transceiver in the portable device to establish communication with a server computer in response to the wireless signal (Section 0042 lines 1 - 5, the master (DCDS server) periodically transmits inquiry messages which comprise access codes, when the access code matches the Bluetooth enabled devices access code said Bluetooth enabled devices will respond with an acknowledgement signal); and synchronizing content stored in the portable device with content in the server computer (Section 0042 lines 1 - 5, during standby mode the Bluetooth enabled devices will listen for inquiry messages, when the access code in said inquiry messages matches the access code derived from the Bluetooth enabled devices identity said devices will transition to an activation mode and synchronize with the master (DCDS server) to form a piconet).

Regarding Claim 12, Walsh teaches all of the claimed limitations recited in Claim 11. Walsh further teaches enabling a power supply system to cause the first microprocessor to transition from the first state to the second state (Section 0042 lines 1 - 5, during standby mode the Bluetooth enabled devices will listen for inquiry messages, when the access code in said inquiry messages matches the access code derived from the Bluetooth enabled devices identity said devices will transition to an activation mode and synchronize with the master (DCDS server) to form a piconet).

Regarding Claim 15, Walsh teaches all of the claimed limitations recited in Claim 11. Walsh further teaches wherein the wireless signal includes a radio frequency (RF) pulse (Section 0042 lines 1 - 5, the master (DCDS server) periodically transmits inquiry messages which comprise access codes, said inquiry messages are transmitted in

pulses).

Regarding Claim 16, Walsh teaches all of the claimed limitations recited in Claim 11. Walsh further teaches wherein the wireless signal includes a pager message (Section 0042 lines 1 - 5, in a Bluetooth system units desiring a connection transmit paging and inquiry messages).

Regarding Claim 18, Walsh teaches a method comprising: activating a transmitter; and wirelessly transmitting a signal using the transmitter (Figure 1, Section 0043 lines 10 - 11, the Bluetooth transceivers will transmit signals), wherein the signal causes a wireless transceiver in a portable device to transition from a first state to a second state to perform content synchronization with a server computer if the portable device receives the signal (Section 0042 lines 1 - 5, during standby mode the Bluetooth enabled devices will listen for inquiry messages, when the access code in said inquiry messages matches the access code derived from the Bluetooth enabled devices identity said devices will transition to an activation mode and synchronize with the master (DCDS server) to form a piconet), wherein the wireless transceiver consumes less power in the first state than in the second state (Section 0042 lines 1 - 5, the Bluetooth enabled devices in a Bluetooth system will transition from the standby mode to the activation mode, the standby mode consumes less power than the activation mode).

Regarding Claim 19, Walsh teaches all of the claimed limitations recited in Claim 18. Walsh further teaches providing a graphical user interface to allow a user to specify a predetermined time at which the signal is transmitted (Section 0083, the user wants

the content to be broadcast at the time said user selects said content, said time is the predetermined time).

Regarding Claim 21, Walsh teaches all of the claimed limitations recited in Claim 18. Walsh further teaches receiving a user request, in response to which the transmitter is activated (Section 0082 lines 1 - 7).

Regarding Claim 22, Walsh teaches an apparatus comprising: a wireless receiver to receive a signal (Figure 1, Section 0043 lines 1 - 9, the Bluetooth enabled devices comprise transceivers thus there will be a receiver to receive signals from the DCDS server); and a wireless transceiver operable to transition from a first state to a second state to perform content synchronization with a server computer in response to the signal (Section 0042 lines 1 - 5, during standby mode the Bluetooth enabled devices will listen for inquiry messages, when the access code in said inquiry messages matches the access code derived from the Bluetooth enabled devices' identity said devices will transition to an activation mode and synchronize with the master (DCDS server) to form a piconet), wherein the wireless transceiver consumes less power in the first state than in the second state (Section 0042 lines 1 - 5, the Bluetooth enabled devices in a Bluetooth system will transition from the standby mode to the activation mode, the standby mode consumes less power than the activation mode).

Regarding Claim 23, Walsh teaches all of the claimed limitations recited in Claim 22. Walsh further teaches a microprocessor, coupled to the wireless receiver, to periodically enable the receiver (Section 0043 lines 1 - 9, the Bluetooth enabled devices comprise microprocessors).

Regarding Claim 24, Walsh teaches all of the claimed limitations recited in Claim 23. Walsh further teaches wherein the microprocessor cycles between a first and a second power mode (Section 0042 lines 1 - 5, during standby mode the Bluetooth enabled devices will listen for inquiry messages, when the access code in said inquiry messages matches the access code derived from the Bluetooth enabled devices' identity said devices will transition to an activation mode and synchronize with the master (DCDS server) to form a piconet, since the microprocessor controls said Bluetooth enabled devices said microprocessor will cycle between the standby mode and activation mode), the microprocessor consumes less power in the first power mode than in the second power mode (Section 0042 lines 1 - 5, the Bluetooth enabled devices in a Bluetooth system will transition from the standby mode to the activation mode, the standby mode consumes less power than the activation mode, since the microprocessors control the Bluetooth enabled devices said microprocessors will consume less power in the standby mode than in the activation mode), and the microprocessor enables the receiver when the microprocessor is in the second power mode (Section 0042 lines 1 - 5, during standby mode the Bluetooth enabled devices will listen for inquiry messages, when the access code in said inquiry messages matches the access code derived from the Bluetooth enabled devices' identity said devices will transition to an activation mode and synchronize with the master (DCDS server) to form a piconet).

Regarding Claim 29, Walsh teaches a machine-readable medium that provides instructions that, if executed by a processor, will cause the processor to perform

operations comprising: providing a user interface to allow a user to enter a predetermined time (Sections 0043 lines 1 - 9, 0083, the Bluetooth enabled devices comprise microprocessors thus there will be a machine-readable medium for the instruction code that runs said microprocessors, the user wants the content to be broadcast at the time said user selects said content, said time is the predetermined time); and wirelessly transmitting a signal at the predetermined time to cause a wireless transceiver in a portable device to transition from a first state to a second state to perform content synchronization with a server computer if the portable device receives the signal (Section 0042 lines 1 - 5, during standby mode the Bluetooth enabled devices will listen for inquiry messages, when the access code in said inquiry messages matches the access code derived from the Bluetooth enabled devices' identity said devices will transition to an activation mode and synchronize with the master (DCDS server) to form a piconet), wherein the wireless transceiver consumes less power in the first state than in the second state (Section 0042 lines 1 - 5, the Bluetooth enabled devices in a Bluetooth system will transition from the standby mode to the activation mode, the standby mode consumes less power than the activation mode).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 3 and 27 – 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh et al. (US 2003/0050058) in view of Sun et al. (US 2002/0137460).

Regarding Claim 3, Walsh teaches all of the claimed limitations recited in Claim 1. Walsh further teaches wherein the portable device is inside an automobile (Section 0043 lines 1 - 9, the Bluetooth enabled devices can be inside automobiles).

Walsh does not teach a remote controller that includes the wireless transmitter and the remote controller is physically coupled to a key to the automobile.

Sun teaches a remote controller that includes the wireless transmitter and the remote controller is physically coupled to a key to the automobile (Sections 0014, 0016 lines 1 - 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Walsh with the remote controller of Sun for the purpose of enabling a user to remotely control said user's Bluetooth enabled device as taught by Sun.

Regarding Claim 27, Walsh teaches all of the claimed limitations recited in Claim 23. Walsh does not teach a remote controller to send the signal in response to user activation.

Sun teaches a remote controller to send the signal in response to user activation (Sections 0014, 0016 lines 1 - 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Walsh with the remote controller of Sun for

the purpose of enabling a user to remotely control said user's Bluetooth enabled device as taught by Sun.

Regarding Claim 28, Walsh in view of Sun teaches all of the claimed limitations recited in Claim 27. Walsh further teaches wherein the portable device is inside an automobile (Section 0043 lines 1 - 9, the Bluetooth enabled devices can be inside automobiles). Sun further teaches wherein the remote controller includes a key to the automobile (Section 0014).

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh et al. (US 2003/0050058) in view of Striemer (US 2003/0197607).

Regarding Claim 7, Walsh teaches all of the claimed limitations recited in Claim 1. Walsh does not teach wherein the wireless receiver includes a pager network receiver.

Striemer teaches a pager network receiver (Sections 0074).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Bluetooth enabled devices of Walsh with the pager module of Striemer for the purpose of creating a more flexible Bluetooth device that can receive pages over a paging network as taught by Striemer.

6. Claims 13 – 14 and 25 – 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh et al. (US 2003/0050058) in view of Hunt (US 6,263,491).

Regarding Claim 13, Walsh teaches all of the claimed limitations recited in Claim

12. Walsh further teaches cycling a microprocessor in the portable device between a first and a second power modes (Section 0042 lines 1 - 5, during standby mode the Bluetooth enabled devices will listen for inquiry messages, when the access code in said inquiry messages matches the access code derived from the Bluetooth enabled devices' identity said devices will transition to an activation mode and synchronize with the master (DCDS server) to form a piconet, since the microprocessor controls said Bluetooth enabled devices said microprocessor will cycle between the standby mode and activation mode), wherein the microprocessor is operable in the second power mode to enable the power supply system in response to the wireless signal (Section 0042 lines 1 - 5, during standby mode the Bluetooth enabled devices will listen for inquiry messages, when the access code in said inquiry messages matches the access code derived from the Bluetooth enabled devices' identity said devices will transition to an activation mode and synchronize with the master (DCDS server) to form a piconet), and wherein the microprocessor consumes less power in the first power mode than in the second power mode (Section 0042 lines 1 - 5, the Bluetooth enabled devices in a Bluetooth system will transition from the standby mode to the activation mode, the standby mode consumes less power than the activation mode, since the microprocessors control the Bluetooth enabled devices said microprocessors will consume less power in the standby mode than in the activation mode).

Walsh does not teach second microprocessor.

Hunt teaches a second microprocessor (Column 6 lines 22 - 39).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the Bluetooth enabled devices of Walsh with the dual microprocessor of Hunt as an alternative means for controlling said Bluetooth enabled devices.

Regarding Claim 14, Walsh in view of Hunt teaches all of the claimed limitations recited in Claim 13. Walsh further teaches receiving the wireless signal by a receiver coupled to a microprocessor (Section 0043 lines 1 - 9, since the microprocessor controls the Bluetooth enabled devices, the Bluetooth transceivers of said devices are coupled to the microprocessor). Hunt further teaches a second microprocessor (Column 6 lines 22 - 39).

Regarding Claim 25, Walsh teaches all of the claimed limitations recited in Claim 23. Walsh further teaches a microprocessor to enable the wireless transceiver in response to the signal (Section 0043 lines 1 - 9, the Bluetooth enabled devices comprise microprocessors); and a power supply system, coupled to said microprocessor, to provide power to said microprocessor (Section 0043 lines 1 - 9, a Bluetooth enabled device comprises a power supply that provides power to the components, such as the microprocessor, that make up said device).

Walsh does not teach second microprocessor.

Hunt teaches a second microprocessor (Column 6 lines 22 - 39).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Bluetooth enabled devices of Walsh with the dual microprocessor of Hunt as an alternative means for controlling said Bluetooth enabled devices.

Regarding Claim 26, Walsh in view of Hunt teaches all of the claimed limitations recited in Claim 13. Walsh further teaches the power supply system providing power to the microprocessor in response to the signal (Section 0042 lines 1 - 5, the master (DCDS server) periodically transmits inquiry messages which comprise access codes, when the access code matches the Bluetooth enabled devices access code said Bluetooth enabled devices will respond with an acknowledgement signal, power will be provided in the activation mode).

7. Claims 17, 20, and 30 are rejected under 35 U.S.C. 103(a) over Walsh et al. (US 2003/0050058) in view of Linnartz (US 2002/0066018).

Regarding Claim 17, Walsh teaches all of the claimed limitations recited in Claim 11. Walsh does not teach decoding an encrypted message carried by the wireless signal.

Linnartz teaches decoding an encrypted message carried by the wireless signal (Section 0028 lines 1 - 9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the encryption method taught by Linnartz in the Bluetooth system of Walsh for the purpose of authenticating the Bluetooth enabled devices in order to enable user privacy as taught by Linnartz.

Regarding Claims 20, 30, Walsh teaches all of the claimed limitations recited in Claims 18, 29. Walsh does not teach encrypting a message, wherein wirelessly transmitting the signal includes transmitting the encoded/encrypted message.

Linnartz teaches encrypting a message, wherein wirelessly transmitting the signal includes transmitting the encoded/encrypted message (Section 0028 lines 1 - 9).

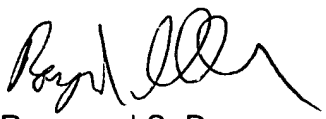
It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the encryption method taught by Linnartz in the Bluetooth system of Walsh for the purpose of authenticating the Bluetooth enabled devices in order to enable user privacy as taught by Linnartz.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond S. Dean whose telephone number is 571-272-7877. The examiner can normally be reached on 6:00-2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay A. Maung can be reached on 571-272-7882. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Raymond S. Dean
October 21, 2005

EDAN ORGAD
PATENT EXAMINER/TELECOMM.